April 30, 1998 Event

We were scheduled to be at Ward Ave. Store today from 2 pm to 8 pm. Our Participation Agreement had no indication of a 500 ft. rule issue, zoning problem, or permit requirements needed. We arrived at 1:30 pm and as we walked outside the store with Mr. Byung Don Hwage, the Manager, to decided on the location of the van we were approached by Ralph Ideta, the Owner of Jimmy's Repair Service, a neighboring store. He informed us that we could not set up there because the owner of the property and the building, Gary Galligher, is an Attorney who is representing the state in a suit against the tobacco industries. We asked Mr. Hwage if he was aware of this and how they felt about it. They are foreign to our country and we had a slight communication barrier. They asked us to leave the incentive items so they could give them to the customers. We politely explained that we needed to collect surveys also and that we couldn't do that, but that we would contact their Philip Morris Representative to discuss the situation with him.

I tried calling the Honolulu Philip Morris Office and was unsuccessful in contacting a person. I did leave Octels for Hugo Ortega, Unit Manager, and Gordon Nariyoshi, TSM, asking them to contact me at the store or by my pager. I also left a message for Denise Soloko informing her of the situation at 1:45 pm and that we were not setting up at the time.

While I was on the phone, Collette Bento, SPR, was approached by the Accountant for Gary Galligher and told that Gary was in court that afternoon fighting this case and he normally comes back to the office after court. And he said if we were going to stay he had to inform Gary of the situation.. Collette and I both have seen Gary Galligher being interviewed on the TV in front of his office in relation to this very case.

Hugo Ortega returned my Octel to the store at 2:10 pm and when I informed him fully of the situation he asked to speak to the Manager. He attempted to but the language barrier again caused a problem and left Mr. Hwage confused. I spoke to Hugo again and he asked how I felt about setting up inside. I said that Collette and I felt uncomfortable due to the fact that Gary's office was located in the building and his Accountant said he had to inform Gary if we were there. When I said this Hugo felt this response was not in cooperation with Philip Morris and asked me if I didn't want to work with them to let him know. I explained to him that I did not want to work against Philip Morris in any way, but that he had asked my opinion on the situation and I gave him my opinion. I believe that it is unnecessary to put ourselves in a potentially volatile situation considering all of the facts. He asked that we stay and set up inside the store and only to leave if we were approached by someone while we were in the store and asked to leave. Only then should we leave and find an alternate location.

We set up in the store and took 3 surveys and distributed 3 items and at about 2:45pm Mr. Hwage asked if we could move the van to another parking lot so Gary wouldn't see it when he came back from court. We explained that because we were inside we only had a limited number of incentives and we needed that van nearby. I also felt that was an unprofessional way to respond to the situation. I felt paging Denise was the best solution. I also left a voicemail for Gordon and asked that he please call the store or stop by at 2:50pm Denise was unable to return my page so she asked that Jeff Duffendack, the



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National Field Manager of the Marlboro Van Program, to return my page. He called at 3:05pm and after I fully informed him of the situation he said due to the situation in court today that we should leave and go to an alternate location and apologize to the retailer and explain why we were leaving. We did so and they were understanding and kind to us.

While we were packing up Denise called and I informed her of the situation. We packed up and went to another location to call for alternate locations. I called Hugo, Gordon and Denise all informing them with our alternate location, ABC Store at 2394 Kuhio Ave. We arrived at our alternate location at 4:15 pm and stayed until 8 pm. This is an account of the day as it occurred. If you have any further questions, please let me know.

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